

## MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, August 6, 2007

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, R. Hall, K. Holt, P. Plante, B. Ryan, G. Zimmer,

Members absent: J. Goodwin, P. Kochenburger,

Alternates present: M. Beal, L. Lombard, B. Pociask

Staff present: G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 8:42 p.m. and appointed alternates Beal and Lombard to act in place of the absent members.

Minutes:

7/16/07- Holt MOVED, Lombard seconded, to approve the minutes as corrected. Holt noted that she had reviewed the tapes of the meeting. MOTION PASSED UNANIMOUSLY.

Scheduled Business:

#### Zoning Agent's Report

Items A. – C. were noted. Hirsch updated the Commission that a letter of acceptance has been requested by the owners of the Kirby Mill that a new tenant occupying space as an office would be an acceptable use. The Commission unanimously agreed that this was an acceptable use and instructed Hirsch to notify the owner.

Old Business:

1. Application to amend the Zoning Map by rezoning land on Storrs Rd and Middle Turnpike from PO-1 and RAR-90 to PB3. M. Carlson, Realm Realty applicant; F and O Sanderson, S. Rogers, D. Donaldson, B. Depray, and M. Krivanec, owners. File #1259 Plante disqualified himself and Favretti appointed Lombard to act in his absence. Favretti asked for Commission members comments on the proposal.

Holt felt that the area should be kept as a PO-1 and Hall agreed. Favretti thought a zone change to PB3 for this area was a good idea. Beal questioned if the PZC had the authority to enforce control for site lighting so it would not disturb the neighbors. Favretti noted that lighting is not a zone change issue. Zimmer stated that he thought the zone change would be moving too close to an historical area. Ryan and Holt felt that an office space/zone is a good buffer between residential and commercial uses and would like to see it remain as is. Pociask asked about the number of PO-1 zones in Mansfield. Padick noted the areas in town currently zoned PO-1, and Pociask, commenting that there seemed to be no shortage of those zones, felt that the subject area should be rezoned at PB-3. Holt questioned the PZC authority to request certain types of building designs.

With no further discussion between members, Beal volunteered to work on motions for the next meeting.

## 2. Subdivision/Bonding Issues

### Report from Director of Planning

#### a. Wild Rose Estates-2, File #1113-3

##### 1. Request for authorization of additional certificates of compliance

Holt MOVED, Ryan seconded, that the PZC modify condition #4 of its 10/4/05 approval of Wild Rose Estates Section 2 to authorize up to eighteen Certificates of Compliance for occupancy of new homes in Section 2 subject to the following:

1. The subdivider shall maintain safe access to all occupied lots.
2. No additional Certificates of Compliance shall be issued until minor regrading work deemed necessary by the Assistant Town Engineer is satisfactorily completed.

3. No additional Certificates of Compliance shall be issued if there are existing erosion and sedimentation problems on site.

MOTION PASSED UNANIMOUSLY.

##### 2. Request for Building Area Envelope revision and retention of existing barn, Lot 10

Holt MOVED, Plante seconded, that the PZC modify the building area envelope for lot 10 of the Wild Rose Estates – Section 2 Subdivision (file #1113-3) as requested in a 12-4-06 (revised 7-12-07) modification request from Byron Thompson. This modification is conditioned upon the following notice being filed on the Land Records:

“Lot 10 of the Wild Rose Estates – Section 2 Subdivision has been reduced to less than 5 acres in size and therefore this lot will no longer qualify as a “farm” based on zoning provisions. Furthermore, the existing barn on this lot will no longer qualify for general farming use. All current zoning regulations shall be met for the keeping of animals on this lot and other potential uses of the barn.”

MOTION PASSED with all in favor except Zimmer who abstained.

#### b. Request to accept Windswept Lane as a Town Road. PZC File #1198

Item tabled- awaiting more information.

#### 3. Request for increase in occupancy at Thirsty Dog Pub & Grill, 134 N. Eagleville Rd., File # 930-2

Item tabled- awaiting information from the applicant.

#### 4. Potential Revisions to PZC/IWA Fee schedule

Item tabled- staff still working on draft.

## New Business:

### 1. Review of revised layout for Gibbs Project, 9 Stafford Rd. File #404-3

The Director of Planning summarized his memo and the alternative layout was reviewed by the PZC. The consensus of the Commission was that this alternative was acceptable and advised staff to notify the applicant.

### 2. New application to amend the Zoning Map by rezoning property on Storrs Road from RAR-90 to PB-3, P. & N. Miniutti; Applicant, R. Walsh, Owner. File #1260

Ryan MOVED, Holt seconded, to receive the application of P. & N. Miniutti (File #1260) to change the zone classification of a 14.2 acre parcel of land owned by R. Walsh located on the south side of Storrs Rd, approximately 800 feet west of Timber Drive from RAR-90 zone to PB-3 zone, as shown on plans dated 8/6/07, to refer said application to the staff for review and comments, and to set a Public Hearing for 9/17/07. MOTION PASSED UNANIMOUSLY.

3. Special Permit Modification request Greek Amphitheatre project, Dog Lane. File #1049-7

Item tabled- awaiting information from the applicant.

4. New Subdivision Application, 2 lots on Woodland Road. W. Lukas o/a. File #1261  
Ryan MOVED, Holt seconded, to receive the subdivision application (File #1261) submitted by William Lukas III, for 2 lots on property located on Woodland Road south of Wildwood Road, owned by the applicant, as shown on plans dated 2-28-07, revised through 6/25/07, and as described in other application submissions, and to refer said application to the staff for review and comments. MOTION PASSED UNANIMOUSLY.

5. Level A Aquifer Designation for Willimantic River Well Field  
Holt MOVED, Lombard seconded, to that the Planning and Zoning Commission acting as Mansfield's Aquifer Protection Agency, schedule a Public Hearing for Monday October 15, 2007 for a Zoning Map depiction of the Department of Environmental Protection approved Level A Aquifer Area for the University of Connecticut's Willimantic River well-field. Furthermore, that the Director of Planning be authorized to prepare the required Zoning Map depiction the new Level A Aquifer Area and to address procedural and notice requirements. MOTION PASSED UNANIMOUSLY.

6. Application from Ponde Place, LLC:

Proposed Zone Change from RAR-90 to DMR, land west of Hunting Lodge Road and north and east of Northwood Rd. File #1262

Holt MOVED, Ryan seconded, to receive the application of Ponde Place, LLC., (File #1262) to change the zone classification of a 46 acre parcel of land owned by The Keystone Companies, LLC, located on the west side of Hunting Lodge Road between Carriage House Drive and Northwood Road from RAR-90 zone to DMR zone, as shown on plans dated 8/2/07, to refer said application to the staff for review and comments, and to set a Public Hearing for 9/17/07. MOTION PASSED UNANIMOUSLY.

Proposed Revision to the Zoning Regulations, Article VIII, Section A. maximum height in the DMR zone. PZC File #1263

Holt MOVED, Ryan seconded, to receive the application of Ponde Place, LLC, to amend Article VIII, Section A of the Zoning Regulations, (File #1263), regarding the maximum height in a DMR zone, as submitted to the Commission, to refer it to staff, Town Attorney and the Windham Regional Planning Commission for review and comment, and to set a Public Hearing for September 17, 2007. MOTION PASSED UNANIMOUSLY.

Special Permit: Proposed Multi-family housing development. File #1264

Holt MOVED, and Ryan seconded, to receive the Special Permit (File #1264) submitted by Ponde Place, LLC for a multi-family housing development on property located between Hunting Lodge Road, Carriage House and Northwood Roads, owned by The Keystone Companies, LLC, as shown one plans dated 8/2/07 and as described in other application submissions, and to refer said application to staff, Design Review Pane,

Committee on the Needs of Persons with Disabilities and the Mansfield Traffic Authority for review and comments, and to set a Public Hearing for September 17, 2007. MOTION PASSED UNANIMOUSLY.

7. Request for re-approval of Windswept Manor resubdivision of lot 4. File #1198-2 Gardner MOVED, Holt seconded, to receive the resubdivision application (File #1198-2) submitted by Patricia Malek for a resubdivision of lot 4 into 2 lots, named Windswept Manor Subdivision, on property located on Windswept Lane owned by the applicant, as shown on plans dated 8/3/05 and as described in other application submissions, and to refer said application to the Director of Planning for review and comments, and to set a Public Hearing for September 4, 2007. MOTION PASSED UNANIMOUSLY.

8. Subdivision Application, Mulwood West, 4 lots on Mulberry Rd., Dorwart Family Trust o/a

File #1225-2

Holt MOVED, Gardner seconded, to receive the subdivision application (File #1225-2) submitted by David Dorwart for a 4 lot subdivision, named Mulwood West, on property located at Mulberry Road, owned by the Dorwart Family Trust, as shown on plans dated July 31, 2007 and as described in other application submissions, and to refer said application to the staff and the Design Review Panel. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

Chairman Favretti noted that the Miniutti and Mulwood West PZC Items should be added to the 8-15-07 Field Trip, scheduled to start at 1:00 p.m.

Communications and Bills:

The agenda items were noted.

Adjournment:

Favretti declared the meeting adjourned at 9:58 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary